REALNET.006A   PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant   :   Mysore Y. Jaisimha, et al.   )
)
Appl. No.   :   09/175,208   )
)
Filed   :   October 19, 1998   )
)
For   :   A SYSTEM AND METHOD   )
                  FOR REGULATING THE   )
                  TRANSMISSION OF MEDIA   )
                  DATA   )
)
Examiner   :   Justin T. Darrow   )

DECLARATION OF PRIOR INVENTORSHIP UNDER 37 C.F.R. §1.131

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

        We declare that:

        1.   We are inventors of subject matter recited in Claims 1, 3, 4 and 14-26 of the
present patent application which was filed October 19, 1998.

        2.   Claims 1, 3, 4 and 14-26 were rejected in a Final Office Action dated March 5,
2002. The rejection was based on U.S. Patent No. 6,134,243 which claims priority back to
January 15, 1998.

        3.   Prior to January 15, 1998, a product including all the elements of independent
Claims 1, 4, 14, 17, 22 and 23 was offered by and distributed by RealNetworks, Inc. For
example, that product included the features described in excerpts of a RealSystem
Administration Guide Version 5.0, for which true and correct photocopies are attached hereto as
Appendix A. More particularly, the materials in Appendix A describe the encoding of media
files for transmission in accordance with certain transmission protocols, for example, by

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streaming media data or by downloading media data at a certain bit rate for mobile playback applications. The materials in Appendix A were published in 1997.

5.   In addition, a true and correct copy of a press release attached hereto as Appendix B demonstrates that RealSystem Version 5.0 was publicly released prior to January 15, 1998.

6.   We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.
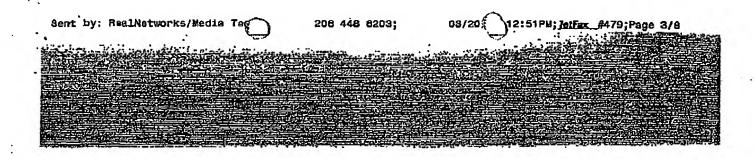
Dated: __4|9|02__   By: _____
                                          Mysore Y. Jaisimha

Dated: __4|9|02__   By: _____
                                          Phillip E. Barrett

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VERSION 5.0

RealServer

Internet Solution

Intranet Solution

Commerce Solution

real

audio video

www.real.com

Networks

RealServer™
Administration Guide
Version 5.0

RealNetworks, Inc.

Appendix C Creating and Serving Content for Mobile Players

Mobile Players such as the Audible Player by Audible, Inc. are an important new class of consumer products that can be used to access and playback RealAudio files. With these new products, you can use audio content in RealAudio format that has been downloaded to a client computer and transfer them to a hand-held Mobile Player that can then playback its content at your convenience. RealEncoder, RealPublisher, and RealServer support the creation and serving of content to Mobile Players such as the Audible Player.

Involved files can be easily created using the RealEncoder or RealPublisher. These files can then be linked using .ram files on a Web page. When the user clicks on such a link, the RealAudio file is downloaded to the client computer using TCP or a new format from the streaming server. The server, which this data transfer takes place is configurable by the RealServer administrator.

There are three steps to implementing Mobile Player support:

1. Encode audio content.
2. Create the .ram file to use as your Web site.
3. Configure the RealServer to allow Mobile Player support. This step need only be done once.

	registered under different username) 3-no username not yet created)
userid	Unique name of up to 50 characters.
uuid	If AuthMode is set to 0 (Player-based) this name played ID. Otherwise blank.
ip	IP address from which user is attempting to connect.
request_time	Time of connection request.
url_refered	If connection failed, URL to which user was redirected (see Redirect Table, above).

	Result of user's attempt to connect. 0= access to clip granted, 1=denied
userid	Unique name of up to 50 characters.
uuid	If AuthMode is set to 0 (Player-based) this name played ID. Otherwise blank.
ip	IP address from which user is attempting to connect.
url	Encoded clip name is associated with access 0=event-based,
permission_type	Permission type associated with url: 0=file (individual clip), 1=directory, 2=zone.
permission_on	Permission type associated with url: 0=file (individual clip), 1=directory, 2=zone.
start_time	Time the clip started playing.
end_time	Time the clip stopped playing.
total_time	Total time clip played.
why_disconnect	0=clean disconnected voluntarily, 1=server access expired (duration exceeded time limit) or subscription date set).

Configuring Servers for Mobile Download

Add the MobilePlaybackOversendRate configuration setting to the server.cfg file. For information on how to add this setting, see Chapter 4, "Configuring and Maintaining RealServer."

The syntax for this variable is as follows:

MobilePlaybackOversendRate

The multiple of the streaming rate that is used to determine the effective bitrate at which the server's mobile file to Mobile Playback enabled RealPlayer via TCP. The file is sent via TCP at the effective bitrate or the network bandwidth, whichever is lower.

Default value	10
Range of values	1-100

Syntax

mobileplaybackoversendrate <number>

Example

To serve 6.5 Kbps encoded files at 19.5 Kbps:

Mobileplaybackoversendrate 3

Encoding Content for Mobile Download

In RealEncoder or RealPublisher, click the Mobile Playback checkbox and encode audio files as usual. The Audible Player supports only the 6.5 Kbps voice codec that's available as part of the RealEncoder and RealPublisher products. Currently, (and in the near future) Mobile Players can only decode and play RealAudio files or .rm files with only audio data.

If you are using the command-line encoder, you will need to use the /P option. Valid arguments for /P are "0" (disabled) and "1" (enabled).

You can also use the realdlt tool to modify a pre-existing .rm file created using RealEncoder 5.0 and enable it for Mobile Playback. See the RealAudio and RealVideo Content Creation Guide for more information on encoding files with these options.

Creating .ram Files for Mobile Download

To make content downloadable for Mobile Playback, you will need to create a .ram file or you Web server that points to the encoded .rm file and contains the .rm file on your Web server that points to the encoded .rm file and contains the .rm file has been "mobileplayback" .ram file. Once the appropriate .ram file has been created you can create a .ram file that contains an entry of the form:

pnm://hwy.server.com/homepath/file.rm?mobileplayback=mobile="1"

where my.server.com is the name of the machine that is running your RealServer, homepath is the location on the machine that contains your .rm file and file.rm is the name of the file you want to make available for Mobile Download. You can also add other .ram file tags with as start times and stop times to the entry. In addition, you can also create .ram files with multiple URLs as before. With multiple Mobile Download enabled URLs, the files are downloaded in succession in the client computer. If you insert URLs without the mobileplayback=mobile .ram file tag, those URLs are streamed to the client player instead of being downloaded.

Leaving the mobileplayback tag out of the .ram file entries gives you to make the same .rm file streamable (instead of downloadable) to the client computer.

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1997 PRESS RELEASES

REALNETWORKS SHIPS FINAL VERSION OF REALSYSTEM 5.0

Widespread Adoption of RealSystem 5.0 Fuels Rapid Growth in Streaming Media Market

SEATTLE, Wa, November 24, 1997 — RealNetworks, the recognized leader in streaming media, today announced the final release of RealSystem 5.0, a client-server streaming media system that included RealPlayers, RealServers and publishing tools. RealSystem 5.0 provides a suite of high quality, cross-platform products for viewing and delivering real-time multimedia over the Internet and corporate intranets. The final version of RealSystem 5.0 is available immediately for download at http://www.real.com.

Advancements in RealSystem 5.0 set a new standard for the delivery of audio, video and animation over the Internet and corporate intranets. New features include:

- Superior audio quality, including near-CD quality voice at 28.8kbps
- Full-screen video at 100kbps to 300kbps and higher
- Real G2 with Flash animation synchronized with RealAudio
- Commerce enabled streaming media, including pay-per-view and advertising insertion

By leveraging elements of RealNetworks generalized streaming multimedia architecture, RealNetworks and Macromedia collaborated to develop Real G2 with Flash animation, which combine the best animation technology from Macromedia and the leading streaming technology from RealNetworks to deliver high quality full length animated programs, synchronized with RealAudio over a 28.8 modem.

"Macromedia chose to partner with RealNetworks because of their innovation and leadership in streaming media," said Norm Meyrowitz, chief technology officer and senior vice president for Macromedia's Internet and Multimedia Authoring Tools Division. "Together we have created Real G2 with Flash to expand the frontier of rich multimedia capabilities over the Internet and corporate intranets."

RAPID ADOPTION OF REALSYSTEM 5.0
RealSystem 5.0 has enjoyed a rapid rate of adoption among consumers, leading content sites and corporate Internet customers since its beta on October 8th, 1997.

Consumers have been downloading RealPlayer 5.0 at an average rate of more than 525,000 units per week, bringing the total number of players in distribution to more than 20 million. RealPlayer 5.0 plays off RealAudio, RealVideo and Real G2 with Flash programming on the Internet, making it the most popular choice for viewing real-time multimedia. In addition, the total number of Internet Web pages with streaming media has increased by more than 50% in the past two months, and more than 85% of these pages use RealAudio, RealVideo or Real G2 with Flash.

Leading content sites are selecting RealSystem 5.0. "RealSystem 5.0 delivers state of the art innovations, providing users with the best possible online experience," said Megan Wizard, HGN Online Marketing. "In particular, Real G2 with Flash enables us to deliver the most compelling multimedia productions over the Web and is instrumental in increasing awareness and interest for the October 19th release of our upcoming James Bond picture, Tomorrow Never Dies."

Corporations are choosing RealSystem 5.0 to deliver training and corporate communications over their intranets. "RealNetworks' RealSystem 5.0 is a key component of our world class intranet which supports on-line learning and corporate communications," said Maynard Webb, vice president and chief information officer at Gateway Networks. "The significant enhancements in audio and video quality will offer our employees a more compelling experience."

PRICING AND AVAILABILITY
RealSystem 5.0 players, basic server and tools are available free for download and purchase from http://www.real.com. RealNetworks offers a complete line of cross-platform products for consumers, content creators, Internet innovators, ISP's and corporate intranet customers.

ABOUT REALNETWORKS
RealNetworks (NASDAQ "RNWK"), based in Seattle, WA, is the recognized leader in the streaming media market. It develops and markets software products and services to enable users of personal computers and other consumer electronic devices to send and receive audio, video and other multimedia services using the Web. RealNetworks can be found on the World Wide Web at www.real.com.

Real G2 with Flash is a trademark of Macromedia, Inc. and RealNetworks, Inc. Macromedia and Flash are

http://www.realnetworks.com/company/press/releases/1997/release50_gold.html   3/20/02

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